

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LIVE NATION WORLDWIDE, INC.,

Plaintiff,

Case No. 10-11395

v.

HONORABLE DENISE PAGE HOOD

HILLSIDE PRODUCTIONS, INC.,

Defendant.

ORDER DENYING MOTION FOR RECONSIDERATION

On April 13, 2011, Plaintiff Live Nation Worldwide, Inc. filed a Motion for Reconsideration of this Court's March 30, 2011 Memorandum Opinion and Order dismissing Live Nation's conversion claim and denying Live Nation's Motion to Amend Complaint adding individual defendants to its conversion claim.

The Local Rules of the Eastern District of Michigan provide that any motion for reconsideration must be filed within 14 days after entry of the judgment or order. E.D. Mich. LR 7.1(h)(1). No response to the motion and no oral argument thereon shall be allowed unless the Court orders otherwise. E.D. Mich. LR 7.1(h)(2). The Local Rule further states:

(3) **Grounds.** Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

E.D. Mich. LR 7.1(h)(3). A motion for reconsideration is not a vehicle to re-hash old arguments, or to proffer new arguments or evidence that the movant could have brought up earlier. *Sault Ste.*

Marie Tribe v. Engler, 146 F.3d 367, 374 (6th Cir. 1998)(motions under Fed.R.Civ.P. 59(e) “are aimed at *re* consideration, not initial consideration”)(citing *FDIC v. World Universal Inc.*, 978 F.2d 10, 16 (1st Cir.1992)).

Live Nation raises the same arguments it raised in its response to the Motion to Dismiss its conversion claim filed by Defendant Hillside Productions, Inc. and in its Motion to Amend the Complaint to add individual defendants to its conversion claim. Live Nation also cited case law it did not cite in its original briefs. Live Nation disagrees with the Court’s decision and the Court’s interpretation of the law, but has not cited a palpable defect by which the Court was misled. Reconsideration of the Court’s decision on this basis is denied.

For the reasons stated above and in its March 30, 2011 Order,

IT IS ORDERED that Plaintiff’s Motion for Reconsideration (**Doc. No. 26 , filed April 13, 2011**) is DENIED.

s/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: May 9, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 9, 2011, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager